

ANNUAL INDEX for 2002, Volume 57, Nos. 1-4

ARTICLES

The AAA and the Construction Industry.

By William K. Slate II, 3:24

ADR: Building Bridges in Mass Tort

Claims. By Corby Pelto, 2:10

ADR Solutions for Academic Workplace

Conflicts. By Suzanne Byron, Monica C. Holmes, Karen F. Steckol & Susan E. Yager, 2:56

The Advantages of Administered Arbitration. By Joyce J. George, 3:66

Affordable Justice Through Arbitration: A Critique of the Public Citizen Jeremiad on the Costs of Arbitration. By Samuel Estreicher & Matt Ballard, 4:8

Arbitral Interim Measures: Fact or Fiction? By Raymond J. Werbicki, 4:62

Arbitration in a New International Alternative Dispute Resolution System. By Francisco Orrego Vicuña, 2:64

Confidentiality in Mediation Communications: A Privilege Worth Protecting.

By Anne M. Burr, 1:64

Conflicts in Massive Proportion.

By Maureen Grady, 2:14

Consolidation, Joinder and Class Actions: What Arbitrators and Courts May and May Not Do. By Richard Jeydel, 4:24

A Cross-Comparison of Institutional Mediation Rules. By C. Mark Baker & Arif Hyder Ali, 2:72

Disclosure and Impartiality.

By Laurence Shore, 1:32

A Dose of ADR for the Health Care Industry. By John W. Cooley, 1:14

The Employment Arbitrator and the Pro Se Party. By Jonathan D. Canter, 2:48

A Guide to Business-to-Business Mediation. By Donald Lee Rome, 4:50

Having Confidence in International

Information is cited by the number of the issue (1 for the Feb-Apr. issue, 2 for the May-July issue, 3 for the Aug.-Oct. issue, 4 for the Nov.-Jan. issue), followed by the page number on which the article begins.

Arbitration. By Alan Redfern, 4:60

How to Save Time and Money in Arbitration: Users Speak Up, 3:26

International Arbitrator Appointment.

By Wendy Miles, 3:36

Keeping the Peace. By George W.

Bohlander, 1:21

Labor Negotiations and the International Arena. By Ira B. Lobel & Brian L. Lobel, 1:56

The Limits on Enforcement of Arbitral Third-Party Subpoenas: Should They Be Loosened? By Timothy C. Krsul, 4:30

Managing Discovery in International Arbitration. By Bernardo M.

Cremades, 4:72

Mass Public Corporate Apology. By Taryn Fuchs-Burnett, 2:26

Mediation Principles: An Environmental Case History. By Edward I. Selig, 1:72

Naming the Game: Should Mediation Wear the ADR Label? By Carol J.

Marshall, 2:33

The Navajo Nation's Peacemaker Division. By Howard L. Brown, 2:42

The Principles of Negotiation. By Thomas R. Colosi, 1:28

The Quest for the Right Questions in the Construction Industry? By John W. Hinchee & Laurence Schor, 3:8

Reframing and Its Uses. By John M. Livingood, 4:42

Relative Satisfaction with ADR: Some Empirical Evidence. By Cynthia F. Cohen & Murray E. Cohen, 4:36

The Rules of Evidence and Labor Arbitration. By Matthew M. Franckiewicz, 3:42

Settling Disputes the NPB Way.

By M. Scott Donahey, 3:76

Show Me The Money": In Lucrative Sports Contracts, an ADR Clause Makes All the Difference. By Peter A. Carfagna, 1:8

So Your Company Wants to Implement an Employment Arbitration Program: A Step-by-Step Guide. By David M. Benck, 4:16

Ten Principles to Aid the Quest for Peace in the Middle East. By Jonathan W. Reitman, 1:48

Training Day: Mediation of ADA Disputes. By Carrie G. Donald & John D. Ralston, 3:56

What Do Parties Really Want from International Commercial Arbitration? By Richard W. Naimark & Stephanie E. Keer, 4:78

What "Erin Brockovich" Failed to Tell You About the Realities of Class Action Litigation. By Geoffrey E. Parmer, 2:19

When Foreign Arbitral Awards are Late ... Should U.S. Courts Enforce Them? By Markus R. Frick, 1:40

When One Court Infringes on Another. By David I. Bristow, Q.C. & Reva Seth, 2:39

Why Every Construction Project Needs a DRB. By Edward Gluklick, 3:21

Why Not Provide for Neutral Party-Appointed Arbitrators? By Robert D. Taichert, 4:22

AUTHORS

Ali, Arif Hyder, 2:72

Baker, C. Mark, 2:72

Ballard, Matt, 4:8

Benck, David M., 4:16

Bohlander, George W., 1:21

Bristow, David I., 2:39

Brown, Howard L., 2:42

Burnett, Taryn Fuchs, 2:26

Burr, Anne M., 1:64

Byron, Suzanne, 2:56

Canter, Jonathan D., 2:48

Carfagna, Peter A., 1:8

Cohen, Cynthia F., 4:36

Cohen, Murray E., 4:36

Colosi, Thomas R., 1:28

Cooley, John W., 1:14

Cremades, Bernardo M., 4:72

Donahey, M. Scott, 3:76

Donald, Carrie G., 3:56
Estreicher, Samuel, 4:8
Franckiewicz, Matthew M., 3:42
Frick, Markus R., 1:40
George, Joyce J., 3:66
Gluklick, Edward, 3:21
Grady, Maureen, 2:14
Hinchey, John W., 3:8
Holmes, Monica C., 2:56
Jeydel, Richard, 4:24
Keer, Stephanie E., 4:78
Krsul, Timothy C., 4:30
Livingood, John M., 4:42
Lobel, Ira B., 1:56
Lobel, Brian L., 1:56
Marshall, Carol J., 2:33
Miles, Wendy, 3:36
Naimark, Richard W., 4:78
Parmer, Geoffrey E., 2:19
Pelto, Corby, 2:10
Ralston, John D., 3:56
Redfern, Alan, 4:60
Reitman, Jonathan W., 1:48
Rome, Donald Lee, 4:50
Selig, Edward I., 1:72
Schor, Laurence, 3:8
Seth, Reva, 2:39
Shore, Laurence, 1:32
Slate II, William K., 3:24
Steckol, Karen F., 2:56
Taichert, Robert D., 4:22
Vicuña, Francisco Orrego, 2:64
Werwicki, Raymond J., 4:62

COURT DECISIONS

ANTITRUST
Investment Partners, L.P. v. Glamour Shots Licensing, 3:93

COMMERCIAL
Arkcom Digital Corp. v. Xerox Corp., 3:94

CONSTRUCTION
Heenan v. Sobati, 2:91

In Re Atlantic Pipe Corp., 4:93
Rojas v. Los Angeles County Superior Court, 4:92

CONSUMER

Burden v. Checks into Cash, 1:90
Ting v. AT&T, 1:89
Walton v. Rose Mobile Homes LLC, 4:90

EMPLOYMENT

Bell v. Cendant Corp., 3:90
Circuit City v. Adams, Circuit City v. Ahmed, *Circuit City v. Najd*, 3:93
EEOC v. Waffle House, 1:88
Gee Gee Nick v. Morgan, Inc., 1:91
Harris v. Parker College of Chiropractic, 2:93

FRANCHISING

ATAC Corp. v. Arthur Treacher's, Inc., 2:91
Ticknor v. Choice Hotels International, 2:90

HEALTH CARE

In re Humana Inc. Managed Care Litigation, 2:90

INTERNATIONAL

Beiser v. Weyler, 2:94

LICENSING

Alexander Julian Inc. v. Mimco Inc., 4:90
Progressive Data Systems v. Jefferson Randolph Corp., 3:93

MEDIATION

In Re Atlantic Pipe Corp., 4:92
Rojas v. Los Angeles County Superior Court, 4:93
Stoehr v. Yost, 3:91

PERSONAL INJURY

Stoehr v. Yost, 3:91

REINSURANCE

Gulf Guaranty Life Ins. Co. v. Connecticut General Life Ins. Co., 4:91
Sphere Drake Ins. Ltd. v. All American Life Ins. Co., 4:93

SECURITIES ARBITRATION

Perpetual v. Tang, 4:91
Westmoreland v. Sadoux, 3:91

SUBJECTS

ADR

Arizona rule, 1:5
empirical research, 4:36

health care industry, 1:14
is it mediation?, 2:33
mass claims disputes, 2:8-25
satisfaction with, 4:36
sports contracts, 1:8
Antitrust damages, 3:92
Arbitration agreements, 1:88
adhesion contracts, 2:90
application to statutory damages, 3:92
arbitrability, 1:89, 90; 3:90; 4:5
effect on EEOC, 1:88
limitation on remedies, 3:93
specific vs. general provisions, 3:92
unconscionability, 1:89; 3:91

Arbitration

administered, 3:66
hearing management, 4:90
how to achieve benefits of, 3:26
AFL-CIO Internal Dispute Plan, 1:21
Arbitrator
disclosure, 1:32
discretion, 1:90
impartiality, 1:32
judge serving as, 2:91
removal of, 4:91
selection (party appointed), 1:88; 4:22

Business disputes, 1:18; 4:50

Class actions, 2:15, 19; 4:24
Community dispute resolution, 2:42
Consolidation, 4:24
Construction, 2:91; 3:8; 4:8, 21, 24
and AAA, 3:24
ADR remedies, 3:17
DRBs, 3:21
partnering, 3:24
Consumer, 1:89, 90; 4:90
California laws, 4:6
Costs of arbitration, 4:5, 8
CPR Principles, 4:6

Employment (or workplace) disputes, 1:18, 88, 91; 2:48, 56, 92; 3:6, 90, 91; 4:5, 16
AAA rules, 4:5

Environmental dispute, 1:73
Equitable estoppel, 2:90
Evidence, rules of, 3:42
Evident partiality, 1:88; 4:92

Federal Arbitration Act jurisdiction, 2:91; 4:91

Forum selection provisions, 2:39

Health care, 1:14, 2:4, 90

Interim relief, 4:62

International arbitration, 2:64; 4:60

- AAA international rules, 1:4
- arbitrator appointment, 3:36
- bias challenges to arbitrators, 1:34
- common law vs. civil law, 4:73
- discovery in, 4:72
- enforcement, foreign awards, 1:40
- forum selection provisions, 2:39
- ICSID procedures, 4:7
- interim relief, 4:62
- late awards, 1:41
- lessons from labor arbitration, 1:56
- mediation rules compared (ICC, CRCCA, AAA, LCIA, HKIAC, WPIO, UNCITRAL), 2:64
- parties' desires, 4:78

International pact, 2:7

IRS, 3:6

Jurisdiction, 2:39

Labor

- AFL-CIO, 1:21
- arbitration, 1:21; 3:42; 4:42
- negotiations, 1: 56
- raiding disputes, 1:22

Magnuson Moss, 4:90

Manifest disregard of the law, 3:92

Mass claims disputes, 2:8-25

- American Home Products, 2:16
- Dow Corning, 2:16
- Federal Victims Compensation Fund, 2:16
- state vs. federal court, 2:21
- Sulzwehr Hip Implant, 2:16

Mediation

- ADA disputes, 3:56
- as ADR?, 2:33
- bad faith in, 3:90
- business to business, 4:50
- comparison of rules, 2:64
- confidentiality, 1:64; 4:58, 90
- court ordered, 1:91
- deciding to mediate, 4:54
- environmental disputes, 1:72
- evidence, 4:90
- identifying common problem, 4:48
- international mediation rules
(see international)
- neutralization of language, 4:46
- reframing, 4:42
- Rush-Presbyterian co-mediation program, 1:19
- sanctions, 1:91
- sports contracts, 1:8
- stumbling blocks, 4:57
- Mediator standards, 3:7

Middle East conflict, 1:48

Mini-trials, 3:16

National Patent Board, 3:76

Native American, 2:42

Navaho Nation Peacemaker Division, 2:42

Negotiation, 1:28; 4:42

- labor, 1:56
- political, 1:50

New Jersey No-Fault, 2:6

New York Convention, 1:43; 2:93; 4:60

Nonsignatories, 2:90; 3:91

Patents disputes, 3:76

Preemption, 2:90; 4:90

Pro se party, 2:48

Public apology, corporate, 2:27

Reframing, 4:42

Revised Uniform Arbitration Act, 2:5

Rules of evidence in labor arbitration, 3:42

Sports disputes, 1:8

Standard of review, ability to expand by contract, 2:92

Subpoenas (third party), 4:30

Supreme Court, 1:6, 88; 2:18

Uniform Mediation Act, 1:67

Vacatur, grounds for,
hearing management, 4:90
manifest disregard of the law, 3:92

Voting, 1:7; 2:6

Warranty claims, 4:90

REVIEWS

ANCIENT GREEK ARBITRATION, by Derek Roebuck, 2:89

THE APPOINTMENT OF GRIEVANCE ARBITRATORS BY STATE AND LOCAL AGENCIES, Sponsored by the National Academy of Arbitrators, 1:87

BUSINESS FUNDAMENTALS AS TAUGHT AT THE HARVARD BUSINESS SCHOOL: NEGOTIATION, by Harvard Business School Publishing, 3:89

CAPITALIZING ON CONFLICT: STRATEGIES AND PRACTICES FOR TURNING CON-

FLICT TO SYNERGY IN ORGANIZATIONS, by Kirk Blackard & James W. Gibson, 3:87

GAME, SET, MATCH: WINNING THE NEGOTIATIONS GAME, by Henry S. Kramer, 4:88

HOW COMPANIES MANAGE EMPLOYMENT DISPUTES: A COMPENDIUM OF LEADING CORPORATE EMPLOYMENT PROGRAMS, by CPR Institute for Dispute Resolution, 4:88

I HEAR WHAT YOU SAY, BUT WHAT ARE YOU TELLING ME? THE STRATEGIC USE OF NONVERBAL COMMUNICATION IN MEDIATION, by Barbara Madonik, 4:89

MEDIATING DANGEROUSLY: THE FRONTIERS OF CONFLICT RESOLUTION, by Kenneth Cloke, 3:89

MEDIATION ADVOCACY (2nd edition), by John W. Cooley, 4:89

MEDIATION CAREER GUIDE: A STRATEGIC APPROACH TO BUILDING A SUCCESSFUL PRACTICE, by Forrest S. Mosten, 4:87

THE MEDIATION FIELD GUIDE: TRANSCENDING LITIGATION AND RESOLVING CONFLICTS IN YOUR BUSINESS OR ORGANIZATION, by Barbara Ashley Phillips, 2:88

MUST WE FIGHT? FROM THE BATTLEFIELD TO THE SCHOOLYARD—A NEW PERSPECTIVE ON VIOLENT CONFLICT AND ITS PREVENTION, edited by William L. Ury, 2:89

REACHING FOR HIGHER GROUND IN CONFLICT RESOLUTION, by E. Franklin Dukes, Marina A. Piscolish & John B. Stephens, 1:86

SAVING THE LAST DANCE: MEDIATION THROUGH UNDERSTANDING, by the Program on Negotiation and the Center for Mediation in Law, 1:87